

**FORTY-NINTH DAY**  
(Continued)

(Tuesday, May 3, 1949)

**AFTER RECESS**

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

**Reports of Standing Committees**

By unanimous consent, the following reports were submitted at this time:

Senator Aikin submitted the following reports:

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 713, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 705, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 456, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B.

No. 159, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, as amended, and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 23, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 238, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Kelly of Tarrant submitted the following report:

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 437, have had same under consideration and beg to report it favorably back to the Senate with the recommendation that it do pass and be printed.

KELLY of Tarrant, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 53, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 37, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 66, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 36, have had the same under consideration, and I am instructed to report it back the the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 436, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 647, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 405, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 248, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 458, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 457, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass.

LANE, Chairman.

Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 445, have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass.

LANE, Chairman.

**Senate Bill 462 on First Reading**

Senator Cousins moved that Senate

Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

## Absent

Ashley	Taylor
Hardeman	Weinert
Phillips	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Cousins:

S. B. No. 462, A bill to be entitled "An Act authorizing all incorporated cities of more than 50,000 population, according to the last preceding Federal Census, owning gas distribution systems, to issue revenue bonds to acquire certain public buildings and the necessary sites therefor; requiring an election to authorize the issuance of such bonds; prescribing the manner of issuing such bonds and the terms and conditions upon which original and subsequent bonds may be issued and payment thereof secured by pledging certain specified revenues; prescribing the powers and duties of the governing bodies of such cities in regard to authorizing the issuance of such bonds and the use of such revenues; authorizing the refunding of bonds issued hereunder; providing this Act shall be cumulative of other laws but shall prevail over other laws in conflict; containing a savings clause; and declaring an emergency."

To Committee on Oil, Gas and Conservation.

## Senate Bill 463 on First Reading

Senator Hudson moved that Senate

Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Kelley of Hidalgo
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Tynan
Jones	Vick

## Absent

Strauss	Weinert
Taylor	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Hudson:

S. B. No. 463, A bill to be entitled "An Act authorizing counties having a population of not less than 6141 and not more than 6150 inhabitants according to the last preceding Federal Census and having an assessed valuation of not less than \$21,000,000.00 according to the last approved tax rolls to acquire by purchase or otherwise an airport; providing certain limitations; providing this Act shall be severable; and declaring an emergency."

To Committee on Aeronautics.

## Senate Bill 464 on First Reading

Senator Bullock moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Carney
Ashley	Colson
Bell	Corbin
Bullock	Cousins

Hardeman	McDonald
Harris	Moffett
Hazlewood	Morris
Hudson	Phillips
Jones	Proffer
Kelley of Hidalgo	Shofner
Kelly of Tarrant	Strauss
Lane	Tynan
Lock	Vick
Martin	

Absent

Bracewell	Taylor
Moore	Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bullock:

S. B. No. 464, A bill to be entitled "An Act to amend Section 9 of H. B. 104, Acts of the 41st Legislature, 1929, First Called Session, Chapter 65, page 166, as amended by S. B. No. 20, Acts of the 41st Legislature, 1930, 5th Called Session, Chapter 15, page 134, so as to provide regulations for the operation of a barber school or college; establishing courses to be taught and prerequisites for teachers; providing for teacher's certificate; and declaring an emergency."

To Committee on Public Health.

#### Senate Bill 465 on First Reading

Senator Harris moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Cousins	Taylor
Hazlewood	Weinert
Moore	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Harris:

S. B. No. 465, A bill to be entitled "An Act requiring cities and towns including Home Rule Cities, which heretofore have issued or hereafter may issue bonds payable from revenues of any city-owned utilities to file with the State Auditor an operating statement containing certain information in respect to the income and expenses of such Systems, so long as the net revenues are pledged to pay principal or interest of Revenue Bonds; requiring the State Auditor to prepare a compiled report; and declaring an emergency."

To Committee on State Affairs.

#### Bill Ordered Not Printed

On motion of Senator Proffer it was ordered that H. B. No. 705 be not printed.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolution:

H. B. No. 19, Providing for the filing of affidavits by State officers, agents, officials and employees attesting to their non-membership in the Communist Party and other subversive organizations and prescribing the form of such affidavit; requiring the Department of Public Safety to make available lists of certain communist and subversive organizations and providing the Department of Public Safety may issue lists of communist and subversive organizations if the Federal Department of Justice lists cease to be available; providing for the dismissal of persons failing to execute and file such affidavit; forbidding payment of State funds to persons failing to execute and file such affidavits and forbidding acceptance of State funds by such persons; providing criminal penalties for violations of the Act and for the making of false statements in any such affidavit; contain-

ing a short title; containing a severability clause; repealing Section 2 of Senate Bill 38, Acts of the Forty-seventh Legislature, page 1355, Chapter 617; and declaring an emergency."

H. B. No. 88, A bill to be entitled "An Act amending Article 6820, Revised Civil Statutes of 1925, increasing the expense allowance of District Judges under certain conditions, and declaring an emergency."

H. B. No. 97, A bill to be entitled "An Act providing grants to soil conservation districts; the manner of expenditure and of limiting such grants; providing the manner in which grants shall be made with certain limitations; providing for certification to the State Comptroller for payment of grants; providing for the execution of surety bonds for all employees and officers entrusted with funds or property; providing for the keeping of a full record of proceedings; providing for a biennial audit of the accounts of receipts and disbursements; etc.; and declaring an emergency."

H. C. R. No. 60, Granting John F. Downs permission to sue the State and/or Highway Department.

The House has concurred in Senate amendments to House Bill No. 665 by vote of 118 yeas, 0 nays.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### House Bills and Resolution on First Reading

The following House Bills and resolution, received from the House, were laid before the Senate, read and referred to the committees indicated:

H. B. No. 155, to Committee on Civil Jurisprudence.

H. B. No. 74, to Committee on State Affairs.

H. B. No. 4, to Committee on Finance.

H. B. No. 1, to Committee on State Affairs.

H. B. No. 777, to Committee on Civil Jurisprudence.

H. B. No. 776, to Committee on Civil Jurisprudence.

H. B. No. 761, to Committee on Finance.

H. B. No. 606, to Committee on State Affairs.

H. B. No. 336, to Committee on State Affairs.

H. C. R. No. 60, to Committee on Civil Jurisprudence.

H. B. No. 97, to Committee on Finance.

H. B. No. 88, to Committee on Finance.

H. B. No. 19, to Committee on State Affairs.

#### Senate Resolution 147

Senator Kelly of Tarrant offered the following resolution:

Whereas, Today, May 3, 1949, Mrs. E. A. Gillis of Fort Worth, Texas, is being feted in New York City as the National Mother of the Year, chosen by the National American Mothers' Committee of the Golden Rule Foundation; and

Whereas, Mrs. Gillis is the first Texas lady to ever receive this honor; and

Whereas, Mrs. Gillis, a most outstanding Texas woman, wife of a Fort Worth post office clerk, and mother of four sons and two daughters and temporary "foster mother" to eight Texas Christian University students who needed help to stay in school, and is known for her affection, kindness, understanding, homemaking, and her strong religious conviction; and

Whereas, Mrs. Gillis has shown through her civic and community services her awareness of and her interest in social and world relationships and the welfare of her fellow man; and

Whereas, Further evidence of Mrs. Gillis' unique personality, endowed with all the best traits in human nature, can be found in the accomplishments of her children, Dr. Carroll Owens Gillis, 38, an educational missionary and author; Dr. Don E. Gillis, 36, a radio director, composer, and conductor; Dr. Everett A. Gillis, 34, a teacher and poet; Mrs. Eileen Plemons, 25, a music teacher; Mrs. Evelyn Gillis Gray, 25, a housewife and mother of a 6 months old infant son; Mr. Lewis Dene Gillis, 21, a student at

Texas Christian University following the family interest in his studies of music; be it

Resolved, That the Senate of the State of Texas congratulate Mrs. Gillis on the honor which has been bestowed upon her and which she so richly deserved; and, be it further

Resolved, That this Resolution be printed and copies presented to all members of Mrs. Gillis' family as a token of the esteem of the Senate for their fine mother.

The resolution was read and was adopted.

#### Leave of Absence Granted

Senator Shofner was granted leave of absence for the remainder of the day on account of illness, on motion of Senator Morris.

#### Senate Bill 40 on Passage to Engrossment

The President laid before the Senate as the unfinished special order for this time on its passage to engrossment:

S. B. No. 40, A bill to be entitled "An Act amending Article 4766, relating to Texas Securities."

The bill having been read second time on Monday, May 2, 1949.

Question—Shall the bill be passed to engrossment?

The bill was passed to engrossment.

#### Senate Bill 40 on Third Reading

Senator Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 40 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Hudson
Ashley	Jones
Bell	Kelley of Hidalgo
Bracewell	Kelly of Tarrant
Bullock	Lane
Carney	Lock
Colson	Martin
Corbin	McDonald
Hardeman	Moffett
Harris	Moore

Morris	Tynan
Phillips	Vick
Proffer	Weinert
Strauss	

Absent

Cousins	Taylor
Hazlewood	

Absent—Excused

Shofner

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—23

Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lock	

#### Nays—2

Aikin	Lane
-------	------

Absent

Ashley	Hudson
Cousins	Taylor
Hazlewood	

Absent—Excused

Shofner

#### Senate Bill 240 on Second Reading

The President laid before the Senate as a special order for this time, on its second reading and passage to engrossment:

S. B. No. 240, A bill to be entitled "An Act to amend Section 8 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended by Chapter 78, Acts of the 41st Legislature, First Called Session, 1929, relating to motor bus companies, so as to provide for the requirements of an application for a motor bus certificate; the jurisdiction and procedure of the Commission in granting applications for certificates of convenience and ne-

cessity to motor bus companies; the filing fees to accompany applications before the Commission; and for the approval by Commission of transfer of certificates and stock in motor bus companies; also amending Section 12 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, relating to motor bus companies, so as to provide for the hearing of application and complaints by the Commission and authorized representatives and examiners of the Commission; and for written reports and recommendations of the authorized representatives and examiners of the Commission; also amending Section 17 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, relating to motor bus companies, so as to provide for an appeal to the courts from any order or action of the Commission; providing that the invalidity of any part of this Act shall not affect the validity of any other part, and declaring an emergency."

The bill was read second time.

Senator Vick offered the following committee amendment to the bill:

(Committee Amendment No. 1)

S. B. 240, to be known as Section 3a.

Section 3a: The provisions of the above and foregoing sections shall not apply to those applications filed with the Railroad Commission of Texas, and assigned for hearing by it, prior to January 1, 1949.

Senator Kelley of Hidalgo offered the following substitute for the committee amendment:

Amend committee amendment No. 1 to S. B. No. 240 by Vick by striking out said amendment and inserting in lieu thereof the following to be known and designated as Sec. 17 (f) as follows:

Sec. 17: (f) The provisions of this Act shall not be applicable to any of the proceedings relating to any application for a certificate of public convenience and necessity filed with the Commission prior to the effective date of this Act.

The substitute for the committee amendment was adopted.

The committee amendment as substituted was then adopted.

Senator Vick offered the following amendment to the bill:

Amend S. B. No. 240 by striking out all of Sub-section (b) under Sec. 17 on page 3 thereof commencing with Line 35 and ending with Line 42 thereof and substituting in lieu thereof the following:

Sec. 17: (b) In all trials under this section the burden shall be upon the Plaintiff to establish that the decision, order, rule, rate, charge, act or regulation complained of is unreasonable, arbitrary, capricious or unjust as to it, or that there was not substantial evidence before the Commission to support its action, or that the Commission's action is otherwise invalid.

The amendment was adopted.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend S. B. No. 240 by Vick by striking out all of (c) under Sec. 17 on page 3 thereof commencing with Line 43 and ending with Line 59 thereof and substituting in lieu thereof the following:

Sec. 17 (c). The party initiating an action under this section shall within ten days after filing this petition in the District Court of Travis County, Texas, order from the Commission a certified transcript of its proceedings in the matter or matters complained of in such petition; such certified transcript shall contain, but shall not be necessarily limited to, a copy of the application, if any, and any other written pleadings, if any, filed with the Commission; all notices of hearing issued by the Commission; a transcript of all the evidence and all exhibits adduced or presented before the Commission; the Examiner's written report and recommendation to the Commission, if any; and all orders entered by the Commission in connection with such proceedings. Such transcript shall be filed by the Clerk among the papers of the cause. It shall be the duty of the Commission to prepare and file such certified transcript within a reasonable time, not to exceed forty-five days from the date the Commission is served with citation in said cause. The cost of such transcript shall be initially advanced to the Commission by the Plaintiff but shall ultimately be assessed by the Court as part of the cost of the suit.

The amendment was adopted.

Senator Vick offered the following amendment to the bill:

Amend S. B. No. 240, Sec. 8, paragraph "B", line 2, page 2, of printed bill by striking the balance of said paragraph and inserting in lieu thereof the following: "shall be voidable unless the Commission shall set forth in its order full and complete findings of fact pointing out the public need and convenience for the proposed service."

Senator Kelley of Hidalgo offered the following substitute for the amendment:

Amend S. B. No. 240 By Vick by striking out all Sub-section (b) under Section 8 on pages 1 and 2 commencing with Line 67 on page 1 and ending on Line 6 on Page 2 of said Bill and substituting in lieu thereof the following.

Sec. 8: (b) Before any such application shall be granted, the Commission shall hear, consider and determine the application in accordance with the provisions of this Act. The order of the Commission on granting an application, and the certificate issued thereunder, shall be voidable unless the Commission shall set forth in its order sufficient findings of fact to support the same.

Question—Shall the substitute be adopted?

#### Senate Bill 115 with House Amendments

Senator Taylor called S. B. No. 115 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Taylor moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—19

Aikin	Harris
Bell	Hudson
Bracewell	Jones
Bullock	Kelly of Tarrant
Carney	Lock
Colson	Martin
Cousins	McDonald

Morris  
Proffer  
Taylor

Tynan  
Weinert

Nays—8

Ashley	Moore
Corbin	Phillips
Hardeman	Strauss
Kelley of Hidalgo	Vick

Absent

Hazlewood  
Lane

Absent—Excused

Shofner

#### Vote on Passage of Senate Bill 266 Reconsidered

Senator Bell moved to reconsider the vote by which S. B. No. 266 was passed and that the House be requested to return the bill to the Senate.

Senator Cousins moved to table the motion to reconsider.

The motion to table was lost by the following vote:

Yeas—9

Ashley	Jones
Carney	Lock
Colson	Vick
Cousins	Weinert
Hudson	

Nays—20

Aikin	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Corbin	Morris
Hardeman	Phillips
Harris	Proffer
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Taylor
Lane	Tynan

Absent

Hazlewood

Absent—Excused

Shofner

Question then recurring on the motion to reconsider the vote by which the bill was passed and to request the House to return the bill to the Senate, it prevailed.



**Message from the Governor**

The following message, received from the Governor today, was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
May 3, 1949.

To the Senate of the 51st Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE MEMBERS OF THE STATE BOARD OF DENTAL EXAMINERS** for six year term expiring May 24, 1955 (reappointments):

Dr. H. Arthur Zappe of Mineral Wells, Palo Pinto County;

Dr. W. C. McNeil of Silsbee, Hardin County.

Respectfully submitted,

**BEAUFORD H. JESTER,**  
Governor of Texas.

**Resolutions Signed**

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled resolutions:

S. C. R. No. 46, In memory of Dr. Williard H. Dow.

S. C. R. No. 47, Congratulating the City of Fort Worth on its Centennial.

**Senate Resolution 148**

Senator Vick offered the following resolution:

Whereas, The students of the Civics Classes of the Waco High School are in the City of Austin and are now present in the Gallery of the Senate; and

Whereas, Said students of the Civics Classes of Waco High School are accompanied by their teachers, Miss Waurine Walker, Mrs. E. H. Vaden, and Mr. Robert Bumgardner; and

Whereas, The Senate of the State of Texas desires to recognize and to acknowledge with pleasure their visit to Austin; now, therefore, be it

Resolved, By the Senate of Texas, that the students of the Civics Classes of the Waco High School and their teachers, Miss Waurine Walker, Mrs. E. H. Vaden, and Mr. Robert Bumgardner, be officially welcomed to the State Capitol.

The resolution was read and was adopted.

**Recess**

Senator Kelly of Tarrant moved that the Senate recess until 10:30 o'clock a.m. tomorrow.

Senator Vick moved that the Senate recess to 2:30 o'clock p.m. today.

Question first recurring on the motion of Senator Kelly of Tarrant, it prevailed.

The Senate accordingly at 12:25 o'clock p.m., took recess until 10:30 o'clock a.m. tomorrow.

---

**FORTY-NINTH DAY**  
(Continued)

(Wednesday, May 4, 1949)

**AFTER RECESS**

The Senate met at 10:30 o'clock a.m. and was called to order by the President pro tempore.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 4, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

In compliance with the request of the Senate, contained in a message from the Senate on date of May 3, 1949, I am returning herewith Senate Bill 266.

H. C. R. No. 77, Authorizing Forest Lawn Lot Owners Association to sue the State of Texas and the Texas State Highway Department.

H. C. R. No. 83, Granting permission to William I. Bothe to sue the State of Texas and/or the Industrial Accident Board of the State of Texas.

H. C. R. No. 92, Authorizing the Enrolling Clerk of the House to make corrections in the body of House Bill No. 120.